



Vol. 34 No. 9 SEPTEMBER 2005

HIGHLIGHTS

Page 2
CONFERENCE AGENDA

Page 3
MACo CANDIDATES

Page 4 - 5
CONFERENCE RULES
BYLAWS PROPOSALS (2)

Page 6
JPA-JPIA BUILDING

Page 7
COUNTY NEWS

Page 8
DIRECTORY CORRECTIONS

Page 9
U.S.T. - PART TWO

Page 10
NACo COMMITTEE REPORT

Page 11
NACo ENERGY STAR

Page 12
LAW ENFORCEMENT &
TRAFFIC ACCIDENTS

ADVERTISERS

Page 4
ROBERT PECCIA
AND ASSOCIATES

Page 5
KADRMAS, LEE and
JACKSON

Page 5
ROSCOE STEEL
AND CULVERT

PRESIDENT BILL'S END OF TERM

This past year as the President of MACo will go down as one highlight of my life. I would like to thank you all for a **great** year that has not only been busy, but also has been a year of success and of changes.

I wish Harold Blattie the best in leading MACo into a new era. I thank him for accepting the leadership position and becoming the new Executive Director. The next legislature will be a challenge and having his voice for the MACo organization will prove a great success for future years. I would also like to wish Gordon Morris good luck and thank him for 23 years of service for Montana counties. "You built a base that will last us all a lifetime."

We can only get better and I look forward to the new MACo Associate Director adding a new perspective to our organization. As I consider our incoming president, Doug Kaercher, I have the utmost confidence in him. Doug is determined and dedicated, and his year will be another productive one!

We did it! The 2005 Legislative Session was a success and counties were heard from opening day to Sine-Die. Thanks go to 1st Vice-President Doug Kaercher and 2nd Vice-President John Prinkki for the many, many hours spent in Helena to cover all of our issues. And



I thank the many commissioners who traveled from each corner of the state to Helena to support legislation that is good for the counties. I appreciate all the e-mails, writing and phoning legislators so they heard a **voice** from local government. Thanks to Carol Brooker, who had a solid base for me when I started and thanks to her for her years of service!

Our voice is strong and loud and we're already gearing up for the next session. As we work on preparing for the next session, on state assumption of the Public Defender's Office on July 1, 2006 and on managing our workers compensation and liability trusts, this year will make for a busy one.

I have been very pleased with Governor Schweitzer's open door policy and availability of his cabinet and staff to work with commissioners statewide. If any of you have not invited the Governor to your courthouse, please do so.

On the national scene, Connie Eissinger, as our WIR President, has brought greater emphasis on Montana. NACo President Bill Hansell honored me with the chair of Rural Action Caucus.

Mary and I are looking forward to having you at our house for a BBQ on Saturday, Sept. 24th and seeing you at the conference!

DRAFT CONFERENCE AGENDA

SUNDAY, SEPTEMBER 25

3:00 pm Board of Directors Meeting
6:00 pm President's Reception & Banquet

MONDAY, SEPTEMBER 26

8:30 am Opening Session
Colleen Landkammer
NACo President-Elect
Election Administration
INTERCAP and STIP
State Auditor John Morrison
Nationwide Retirement System
Officers Reports
2:00 pm BOS Workforce Consortium
3:00 pm JPA / JPIA Joint Meeting
4:00 pm Hard Rock Mining Counties
Oil, Gas and Coal Counties

TUESDAY, SEPTEMBER 27

7:00 am Reservation Counties Meeting
JPIA Trustees Breakfast Meeting
8:30 am MACo Committees
10:30 am Committee Reports
1:15 pm Workshops
Medicaid
Gravel Pits
Workforce Development
2:45 pm Workshops
Economic Development
Floodplain
Federal Funds
3:00 pm Meeting--Executive Board and
Sponsors / Exhibitors
4:00 pm Fort Peck Lake Counties
Coalition of Forest Counties

WEDNESDAY, SEPTEMBER 28

8:00 am Northwest Area Foundation
9:00 am MACo Healthcare Trust Meeting
Urban Counties Meeting
11:00 am JPA Trustees Meeting
1:00 pm General Session
Department of Revenue
Resolution / ByLaws Amendments
Election of Officers
2007 Convention Location
3:00 pm JPA and JPIA Annual Meetings
6:00 pm Installation Banquet and Dance

THURSDAY, SEPTEMBER 29

7:30 am Board of Directors Meeting
8:30 am PHASE III
Commissioner Certification

SPEAKERS

Henry Holden, Actor, Comedian and Activist
Newark, NJ
Colleen Landkammer, NACo President-Elect
Blue Earth County Commissioner
Mankato, MN
Vickie Zeier, Clerk and Recorder / Treasurer
Missoula County
Duane Winslow, Election Administrator
Yellowstone County
Louise Welsh, Bond Program Officer
Coralie Sciuchetti, STIP Manager
Delrene Rasmussen, Ass't. Investment Officer
Montana Board of Investments
John Morrison, Montana State Auditor
Steve Pilcher, Executive Vice-President
Montana Stockgrowers
Ron Aasheim, Administrator
Conservation Education Division, FWP
Brian Schweitzer, Governor of Montana
Jennifer Wilson, Associate Legislative Director
National Association of Counties
Richard Oppen, Director
Department of Environmental Quality
Sue Mohr, Executive Director
Montana Job Training Partnership
David Bradley, President
National Workforce Association
Washington, DC
Linda Beck, Director
Business Recruitment & Retention
Big Sky Economic Development Assoc.
Dave Bohyer, Director, Research & Policy
Analysis, Legislative Services Division
Mary Sexton, Director, Department of Natural
Resources and Conservation
Laura Pfister, Floodplain Administrative Support,
Water Operations Bureau, DNRC

SECOND VICE PRESIDENT CANDIDATES



CYNTHIA JOHNSON
PONDERA COUNTY
 ELECTED 2001

MACo PARTICIPATION

Ag. & Economic Dev. Committees
 Reservation Counties
 Board - Coal, Oil, & Gas Counties

COMMUNITY INVOLVEMENT

9-county Addiction Counseling Brd.
 Joint Refuse District Board
 Community theater, Little League,
 the ever-popular political groups....

SPECIAL ABILITIES

Experience in Economic Dev. and
 Health Care / Housing
 ...and a sense of humor

THOUGHTS ABOUT MACo

MACo should help counties find a
 responsible balance between re-
 sources and providing services,
 continue proactive involvement in
 legislative developments, pursue
 meaningful tax reform, and en-
 hance participation of all counties.



MARK REHBEIN
RICHLAND COUNTY
 ELECTED 1999

MACo PARTICIPATION

Board of Directors
 Information Technology Committee

COMMUNITY INVOLVEMENT

Lions Den & Youth Center Boards
 Secretary for local Elevator Board
 Moose and Elks member

SPECIAL ABILITIES

To work with people to find solu-
 tions
 To apply experience from being a
 commissioner

THOUGHTS ABOUT MACo

MACo's main role is providing ser-
 vices to counties and keeping us
 all informed about things that are
 going on. MACo is very important
 to county legislative efforts be-
 cause it is our main lobby group to
 protect our interests.



JEAN CURTISS
MISSOULA COUNTY
 ELECTED 2001

MACo PARTICIPATION

MACo Executive Committee
 Chair of Urban Counties
 Health / Human Services Comm.

COMMUNITY INVOLVEMENT

State and National PTA
 Economic Development groups
 Health / Human Service boards

SPECIAL ABILITIES

To listen to concerns and bring
 people together around the issues
 To keep focused on the issues

THOUGHTS ABOUT MACo

MACo should take a leadership
 role in focusing on the future of
 Montana. For example, MACo
 could host a focused board retreat
 this fall, prioritize issues of impor-
 tance, such as growth. and look at
 the ways counties do business.

FISCAL OFFICER CANDIDATE



ALLAN UNDERDAL
TOOLE COUNTY
 ELECTED 1993

MACo PARTICIPATION

Fiscal Officer and Executive Board
 JPA and JPIA Boards of Directors
 MACo & NACo Taxation, Finance, Budget Committees

COMMUNITY INVOLVEMENT

Northern Express Transportation Authority
 MT. Dept. Corrections Advisory Council
 Church Board (25 Years) and Volunteer Coach

SPECIAL ABILITIES

Past experience as MACo Fiscal Officer
 13 years experience in county budget planning
 Listening & collaborating to find solutions to problems

THOUGHTS ABOUT MACo

I see MACo as local government's training,
 lobbying and service organization, always looking to
 better serve our needs. MACo also offers a means for
 local government officials to get better acquainted,
 thereby offering another resource in understanding
 how to do our jobs better. We need to continue to be
 in the forefront to bring meaningful tax reform for Mon-
 tana. I will work for that to be accomplished.

DELEGATE ASSEMBLY RULES

Resolutions and/or Bylaws

Rule 1 Any resolution or bylaw change from a member district or county not submitted at the District meeting must be submitted to the Resolutions Committee no later than the Sunday before the Annual Convention in order to be presented to the Board of Directors for their approval.

Rule 2 Any resolution or bylaw change not submitted through Rule 1 will not be considered by the Delegate Assembly unless two-thirds of the delegates present and voting elect to suspend the rules to consider late proposals. Late proposals shall be accompanied by copies for all delegates and shall be available prior to the Introduction and Consideration of Bylaw Changes or Resolutions.

Voting Procedures

Rule 3 Each regular member has one vote. (Regular members shall be those counties which contribute annually to the financial support of the Association.) There shall be one county delegate and one alternate with the authority to vote. The delegate and the alternate must be elected county officials.

Rule 4 In speaking to a motion, a delegate will be limited to three minutes except wherein this rule has been suspended by a vote.

Rule 5 All voting shall be by show of hands or voice vote, subject to the call of the chair. A roll call vote will be conducted upon request by a delegate from the floor.

Rule 6 Debate is considered privileged and a "call for the question" cannot be used to limit debate. A vote to close debate requires a two-thirds vote of the delegates voting.

Suspension of Rules

Rule 7 Any of these rules may be suspended by a two-thirds vote of those present and voting.

PROPOSED RESOLUTION

2005-01 RESOLUTION IN SUPPORT OF THE
MARIAH HYPERSONIC WIND TUNNEL
(Full text emailed separately and posted on website)

PROPOSED BY LAWS AMENDMENT 1

ARTICLE V EXECUTIVE DIRECTOR

Section 1 DUTIES AND RESPONSIBILITIES

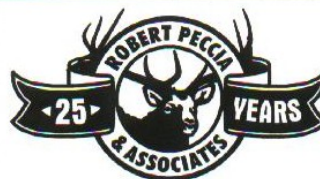
The Executive Director shall perform such duties as are assigned by the Board of Directors for implementing Association policy, and shall be responsible to the Board. The Executive Director shall supervise the Association office and staff. The Board of Directors shall be responsible for an annual evaluation of the Executive Director

The Executive Director shall compile, publish and maintain a Staff Policy and Procedures Manual, which shall be reviewed annually by the Board of Directors. The Staff Policies and Procedures Manual shall include a detailed job description for the Executive Director and such other staff positions as may be created.

The Executive Director shall be responsible for the hiring and termination of staff personnel consistent with the Staff Policies and Procedures Manual.

The hiring of an ~~Assistant~~ Associate Director shall be by the Executive Committee and by the Executive Director requires the concurrence of the Executive Committee and with confirmation by the Board of Directors.

PLEASE SUPPORT MACo SUPPORTERS



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& Associates**

Civil, Transportation & Environmental
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*Celebrating 25 Years
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P. O. Box 5653
825 Custer Avenue
Helena, Montana 59604
(406) 447-5000
Fax (406) 447-5036

www.rpa-hln.com

PROPOSED BY LAWS AMENDMENT 2

ARTICLE II MEMBERSHIP

Section 1. MEMBERS:

Members shall be the elected officials of those counties which have paid their annual dues in accordance with a schedule of dues or assessments adopted by the Board of Directors and ratified by the membership. Members shall be entitled to all services offered by the Association.

Section 2. VOTING

Each member county, pursuant to Section 1, has one vote. The Board of County Commissioners shall appoint one county delegate and one alternate to have the authority to vote for that member county at membership meetings of the Association. The voting delegate and alternate must be elected county officials. A member county's registered voting delegate may vote by proxy at any meeting of the membership. The proxy must be in writing and signed by the voting delegate or alternate and shall name the person to whom the proxy is delegated and the subject for the vote(s). The proxy must be delivered to the President prior to voting action being taken.

(Section 3 AFFILIATE MEMBERS and Section 4 TERMINATION are unchanged.)

MARK YOUR CALENDAR

Sept. 5	Labor Day Holiday
Sept. 7	Noxious Weed meeting; MACo Conference Room
Sept. 9	Interim State Administration Committee; Capitol 137
	Interim Economic Affairs Committee; Capitol 102
	Association of Planners; MACo Conference Room
Sept. 12-16	Treasurers Conference; Butte
Sept. 15-16	Environmental Quality Council; Capitol Room 102
Sept. 19-23	Clerk / Records Conference; Butte
Sept. 21-22	Interim Law & Justice Committee; Capitol 102
Sept. 22	Interim Energy & Telecommunications; Capitol 137
Sept. 25-28	MACo Annual Conference; Billings
Sept. 30	Interim Revenue / Transportation; Capitol Room 137

UPCOMING EVENTS

October 5 - 7	NACo Western Region Board Meeting; Whitefish
October 10	Columbus Day Holiday
December 1-2	Joint JPIA / JPA Trustee Retreat

COUNTY PHOTO ID CARDS



County Identification Cards are being produced by the MACo office for county employees who may need to present identification for various uses, such as entry into federal buildings or receiving government rates for lodging.

When a county requests, a digital camera is sent for photos of county employees, along with information forms for each person. When the forms and photos arrive back at MACo, Oline Barta produces the ID cards. The cards feature the MACo logo, the county logo or a photo of the county courthouse, photo of the employee and a watermark of the State Seal.

PLEASE SUPPORT MACo SUPPORTERS



**KLJ Solutions
Companies
serving Montana**

Contact Joe Dooling at
Helena, MT – 406.449.7764
Billings, MT – 406.245.5499

**Kadrmās
Lee &
Jackson**
Engineers, Surveyors
and Planners

PLEASE SUPPORT MACo SUPPORTERS

ROSCOE STEEL & CULVERT

The **Most Reliable** Source of Products
Required for County Road Projects

406 / 656-2253
2847 Hesper Road
Billings, MT 59102

406 / 542-0345
5405 Momont Road
Missoula, MT 59802



AN OPEN LETTER TO THE MEMBER COUNTIES

MACo WORKERS' COMPENSATION PROGRAM (JPA) AND PROPERTY AND CASUALTY PROGRAM (JPIA)

from Gordon Morris, Transition Trust Administrator

The Trustees of the insurance pools have elected to bring claims in-house effective January 1, 2006. The current claims administration staff are employees of alternative service concepts (**asc**), a third party administrator based in Nashville, Tennessee. These five claims staff will become Trust employees in the same manner as the current risk management staff, personnel services staff and marketing staff. The current **asc** claims personnel are in support of this.

The Trustees have been presented with the question "to build or not to build." Should the Trusts invest in a building and generate rental income or should the Trusts rent office space?

Currently claims are administered out of an office in downtown Helena adjacent to legal services provided by the Grosfield Law firm. Proximity of legal services to claims administration is critical in managing claims. With the decision to bring claims in-house, I recommend that the Trusts proceed with a building adjacent to the current MACo building, since the claims staff would be under the supervision of the Trust Secretary, MACo Executive Director. The second consideration driving this recommendation is based on a financial analysis. Co-locating claims administration and legal services in close proximity to MACo by constructing a building makes financial sense. In addition Norm Grosfield has indicated that he and his staff would relocate and rent the office space if this proposal were adopted.

To build a "twin" to the current building would cost an estimated \$860,000. The Sexton Group, the contractor on our existing building, provided this estimate. The finished office costs are estimated at approximately \$200,000. The

The JPA and JPIA Trustees will discuss this with the full membership on Monday, September 26 at 3:00 at the 2005 MACo Conference. Please be there to voice your input to the Trustees.

building would provide space for the five claims administration personnel and additional staff could be added as needed. Rental space would be available for legal services and would generate an estimated \$24,000 annually. The bottom floor would be commercial rental space and would generate an additional estimate of annual rental income of \$36,000. (Total \$60,000 per year in rental income) With the projected rental income, the building would be virtually self-supporting financially. Currently office space is rented in downtown Helena at \$30,000 per year, which would be an additional annual savings to the Trusts if a building were constructed.

Assets currently under the management of the Trustees are significant. Property and Casualty program investments are market valued at \$8,678,887.26, with annualized investment return at 3.19%. Workers' Compensation program investments are market valued at \$9,687,171.25, with annualized investment return 4.06%. Property in the Helena area is experiencing annual appreciation in excess of 9% per year. Based upon this information the Trusts would realize an estimated 5% or higher yield on a real property investment over our current investment portfolio. It follows that if \$550,000 (approximately) were invested in real property by each of the Trusts, they would realize a total net gain of approximately \$55,000 (5% of total).

To sum it up, the Trusts' assets would increase by an estimated \$145,000 per year. This is based upon the assumption of building appreciation of \$55,000, rental income of \$60,000 and elimination of current rental payments of \$30,000. The building would pay for itself within 7 to 8 years, and would be a sizeable income stream for the Trusts.

"With the projected rental income, the building would be virtually self-supporting financially. The building would pay for itself within 7 to 8 years and would be a sizeable income stream."

COUNTY NEWS

COUNTY OFFICIALS

DAWSON COUNTY Superintendent of Schools Martha Young resigned to accept a position as superintendent for Belfry Public Schools.

CASCADE COUNTY Public Administrator is Jerry Boland, who was appointed following the death of his father, John Boland. The senior Boland had been elected five times, beginning in 1985.

RICHLAND COUNTY Treasurer is Sandy Christensen, who was appointed following resignation of Donnette Dopp. Dopp has recently married and moved to Gallatin County.

ANACONDA-DEER LODGE chief executive is Linda Bouck, who accepted the temporary appointment following the resignation of Gene Vuckovich. Bouck was the county planning director.

BUDGET PLANNING

PARK COUNTY Commission approved a ballot effort for October to ask for a 3% resort tax in the Cooke City area.

GLACIER COUNTY will open a satellite office in Browning for county treasurer and sheriff services. Funding will be through a county-wide convenience fee of \$2 per vehicle registration.

BEAVERHEAD COUNTY is in the process of instituting a rental program for its fairground facilities.

PARK COUNTY considered a \$1,000 reward for information leading to the conviction of a green box violator and \$500 fines for illegal solid waste dumping.

FLATHEAD COUNTY will privatize its mailroom operations by contracting for the service. Savings will come from reduced costs for equipment, labor and supplies.

EMPLOYEES

DAWSON COUNTY is still working on its new employee classification and pay program in conjunction with all county offices and a consultant.

GALLATIN COUNTY officially opened its first county satellite office in Big Sky on August 1. The office will provide land use and planning services for 20-30% of the planning applications submitted to Gallatin County, which come from the Big Sky area.

YELLOWSTONE COUNTY Compensation Committee recommended that the level of pay increases for elected officials be dependent on the level of new construction in the county. The group plans to meet quarterly during the next year to oversee a compensation study.

COMMUNICATIONS

HILL COUNTY is seeking a legal opinion on the location for its 911 center--the Havre police station or the Hill County Detention Center.

CARTER COUNTY has opted out of the 911 plan with **POWDER RIVER COUNTY** in favor of joining with **FALLON COUNTY**.

CASCADE, TETON, PONDERA, CHOUTEAU, JUDITH BASIN and FERGUS COUNTIES have joined together to assess the radio communications in the region and to develop strategies to reach all rural areas.

FERGUS COUNTY is weighing the merits of joining the Central Montana 911 Center with **JUDITH BASIN COUNTY, PETROLEUM COUNTY** and the City of Lewistown.

COUNTY ATTORNEYS

New officers for the Montana County Attorney Association are:
President Fred Van Valkenburg,
Missoula County
1st Vice President Mike Weber,
Richland County
2nd Vice President Merle Raph,
Toole County
3rd Vice President Bernie Cassidy,
Lincoln County
Secretary Bob Zenker
Madison County
Treasurer Larry Epstein
Glacier County

FLATHEAD COUNTY SEEKS FINANCE DIRECTOR

Coordinates and carries out various activities relating to budget and financial matters; must possess a comprehensive understanding of finances, budgeting and planning operations of county government; Masters degree and/or CPA is desirable with four years of progressively responsible administrative and fiscal experience in public employment, with a minimum of three years supervisory experience.

Contract position, salary \$50,000.
Visit www.co.flathead.mt.us
for application form.

Submit letter of interest, resume, and completed application to:
Flathead Job Service
427 1st Avenue East
Kalispell, MT 59901.

Deadline: 5:00 p.m. 9/22/05
EOE

DIRECTORY CORRECTIONS

* = new since last list of corrections

ANACONDA-DEER LODGE

- * Chief Executive Linda Bouck
Commissioner Wayne Ternes: wcternes@aol.com
Commissioner Russ Bilodeau replaces Beausoleil
County Attorney Joan Borneman 563-4019
jborneman@onewest.net
* Chief Law Enforcement delete email

BEAVERHEAD COUNTY

- * Commissioner Tom Rice (replaces D. Sevalstad)
2020 Sawmill Road, Dillon 683-4831

BROADWATER COUNTY

- * Commissioner Steve McCullough: mwps@mt.net

CARBON COUNTY

Sheriff Lance Bourquin
lbourquin@co.carbon.mt.us

CARTER COUNTY

Attorney Richard Harkin: rrharkin@midrivers.com

CUSTER COUNTY

- * Commissioner Jack Nesbit
j.nesbit@co.custer.mt.us

DAWSON COUNTY

- * Sup't. of Schools Martha Young resigned.

FERGUS COUNTY

Commissioner John Jensen: jccomp@tein.net

FLATHEAD COUNTY

- * Superintendent of Schools Marcia Sheffels

GALLATIN COUNTY

- * Chief Administrative Officer vacant
- * Clerk and Recorder 582-3050
Treasurer Kim Buchanan
kbuchanan@co.gallatin.mt.us

GLACIER COUNTY

Commissioner Michael DesRosier
mjdesr@yahoo.com

GRANITE COUNTY

- * Commissioner Barry Carnahan (Huffsmith)
PO Box 1004, Philipsburg; 859-3909
Commissioner Suzanne Browning 288-3546
drm3546@blackfoot.net

LAKE COUNTY

- * All @lakecounty-mt.org email addresses
change to @lakemt.gov
- * Attorney Robert Long: rlong@lakemt.gov
- * Clerk/Recdr Ruth Hodges: rhodges@lakemt.gov
- * JP Chuck Wall: chuckwall@lakemt.gov
- * Treasurer Patricia Cook: patricia@lakemt.gov

LINCOLN COUNTY

Commission FAX 293-7057 (page 69)
Sheriff Daryl Anderson
jrust@lincolncountysomt.com

McCONE COUNTY

Commission Office: mcconeco@midrivers.com

MEAGHER COUNTY

Clerk & Recorder Joyce Wofford
jwofford@meaghercounty.org

PARK COUNTY

County Attorney Brett Linneweber

PONDERA COUNTY

- Justice of Peace Audrey Brown: abrown2@mt.gov
- * Clerk / Court Kara Thompson:
kthompson@mt.gov

POWELL COUNTY

- * Commissioner Dwight O'Hara: delete email

PRAIRIE COUNTY

- * County Attorney Dale Hubber will resign.

RAVALLI COUNTY

- * All @co.ravalli.mt.us email addresses change
to @ravallimount.mt.gov

RICHLAND COUNTY

- * Treasurer Sandy Christensen

SANDERS COUNTY All metnet.state.mt.us email
addresses change to metnet.mt.gov

Clerk / Court Dianne Rummel: dirummel@mt.gov

SHERIDAN COUNTY

- * Clerk and Recorder June Johnson
jjohnson@co.sheridan.mt.us

SWEET GRASS COUNTY

- * Treasurer Jane Stene: sgtreas2@cablmt.net

TETON COUNTY

Commissioner Joe Dellwo: dellwo@3rivers.net

TREASURE COUNTY

Sheriff Wayne Robison: tcco@rangeweb.net

VALLEY COUNTY

Sheriff Glen Meier
vcsheriff@valleycountysheriff.net

WHEATLAND COUNTY

Attorney Linda Hickman: wcatty@mtintouch.net

WIBAUX COUNTY

Sheriff Shane Harrington: zsheriff@midrivers.com

UNDERGROUND STORAGE TANKS--PART TWO

by Bill Rule, Department of Environmental Quality

Last month I wrote about the Underground Storage Tank Section (USTS) and how UST regulations evolved. This month I want to explain compliance and some tools in place to help you.

Compliance Basics:

Leak prevention consists of spill prevention, overfill prevention and corrosion protection.

1. **Spill prevention** involves installing liquid-tight spill buckets. When delivery people couple and uncouple the hose from a fill port, small spills often result. The bucket holds those small spills so that they can be drained back into the tank instead of spilling on the ground. A spill bucket should be kept clean so the spills will not compromise the quality of the fuel. These spill buckets must be liquid-tight.

2. **Overfill prevention** keeps delivery personnel from overfilling a tank. The three acceptable means of providing overfill prevention are with a ball float vent valve, a flapper valve (installed in the fill pipe) and an alarm which activates when a tank is 90% full.

3. **Corrosion protection** prevents steel components of a system from rusting through and leaking. Different types of corrosion protection have different requirements.

Early detection of leaks is the other major component of technical UST compliance standards. There are seven approved ways, with hundreds of different types of approved equipment to use for monthly checks to be certain that a tank is not leaking.

Piping needs two forms of leak detection.

- 1) An annual precision line tightness test or a monthly method similar to the one used for tanks.
- 2) There must be a continuous method to tell if there is a leak greater than 3.0 gallons per hour.

Proper equipment must be in place, tested and maintained. The monitoring equipment must also be read regularly and that information recorded as proof of watching for leaks.

- In addition, 1) If a UST system is to have work on it, the department must issue a permit and a licensed installer must conduct the work.
2) The operating permit is the license to operate.

To keep an operating permit, the facility must be inspected by a licensed compliance inspector every three years. The compliance inspection should be conducted about six months before the operating permit expires.

Compliance Education Tools:

Operation and maintenance information:

An operation and maintenance checklist is posted at <http://www.pei.org/PDF/checklist.pdf>. EPA's Operation and Maintenance Manual is at <http://www.epa.gov/swerust1/ustsystem/tanko&m.htm>. EPA's other tank-related publications are available at <http://www.epa.gov/swerust1/pubs/ommanual.htm>. "Straight Talk on Tanks" is an excellent guide to leak detection.

Montana is developing an on-line training program that will filter out all the information that does not apply. The end result of this training can be a compliance plan targeted to the specific needs of each facility. We expect this training to be available in October, 2005. It will be accessed at <http://www.tankhelper.mt.gov>.

We recommend EPA's web-based inspector training. This can provide the entire training or can be used to learn about specific parts of a tank system or the regulations that apply to it. <http://www.neiwpcc.org/oust1.html>

Administration:

Montana's UST web page includes our purpose, our processes, lists of licensed individuals, and permitting and compliance.

<http://www.deq.state.mt.us/UST/index.asp>

Also on that web page is a list of Montana facilities and the expiration dates for their operating permits. <http://www.deq.state.mt.us/UST/MonthlyReportsPDF/USTFacilityOperatingPermitStatus.pdf>

Information the Department has about any facility is at <http://nris.state.mt.us/deq/remsitequery/default.aspx?qt=ust>.

The regulations themselves can be accessed at <http://www.deq.state.mt.us/dir/legal/Chapters/Ch56-toc.asp>.

And DEQ staff is available to answer questions and conduct training. Please call (406) 444-5300 or e-mail ustprogram@mt.gov.

**COMMUNITY AND
ECONOMIC DEVELOPMENT
2005 NACo Annual Conference
Submitted by Anita Varone
Lewis and Clark County**

This Committee is responsible for developing NACo policy on affordable housing as well as community and economic development. Particular emphasis is on advocating for funding for federal programs such as the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Program. The committee also works to refine the role of federal, state and county governments in enhancing economic development opportunities creating housing options for different populations.

Three resolutions were submitted and supported by the Steering Committee:

The first resolution supports legislation that will provide assistance in redeveloping and revitalizing older, inner-ring suburban communities. The legislation was introduced by Senator Clinton and, through the Suburban Core Opportunity, Restoration and Enhancement (SCORE) Act of 2005, will provide assistance to communities beyond the urban core.

The second resolution supports the "Economic Development Act of 2005" that affirms the authority of local governments to utilize tax incentives for economic development purposes. This resolution affects only the Sixth Circuit, which does NOT include Montana so has no affect in this state.

The third resolution supports adequate funding for economic development programs at the U.S. Department of Housing and Urban Development (HUD), which includes the Brownfields Economic Development Initiative, the Office of Rural Housing and Economic Development, and the Section 108 Loan Guarantee Program. NACo is concerned that none of these programs received funding in the Administration's FY2005 budget proposal – and that economic development should remain a program and policy priority with HUD – and that the funding levels for these programs should be maintained for FY2005.

**ENVIRONMENT, ENERGY AND LAND USE
2005 NACo Annual Conference
Submitted by John Prinkki
Carbon County**

This Committee dealt with resolutions and heard presentations on Confined Animal Feedlot Operations, Wave Energy Development, e-waste disposal and watershed management techniques to conserve water.

1) The Resolution on Greenhouse Gases passed with the deletion of mandatory language to control greenhouse gases and references to global warming. 2) The Resolution to Minimize Surface Impacts of Natural Gas Drilling passed, with the intent to increase the acreage occupied by a drilling rig from 10 acres to 640 acres and so reduce the number of roads and pipelines built to serve a gas field. 3) The Resolution in support of funding the Leaking Underground Storage Tank Fund passed unanimously and without debate. 4) The Resolution Supporting Public Lands Day also passed unanimously. National Public Lands Day will be September 24th.

The most interesting presentation was at a special meeting of this committee and the Ag and Rural Affairs Committees. Mr. Kerry Drake, Associate Director, Air Division, Region 9 EPA, discussed a Consent Decree regarding Confined Animal Feedlot Operations (CAFO). It allows operators of a CAFO to enter into a covenant with the EPA not to sue over emissions of ammonia and hydrogen sulfide in chicken, swine and dairy operations. The feedlot operator would agree to pay a civil penalty, make the farm available for monitoring, contribute to a nationwide emissions monitoring study, apply EPA emissions estimating methodologies to identify applicable Clean Air Act, CERCLA, and EPCRA requirements.

Dave Burris, Levy Court President of Kent County Delaware, presented an operator's perspective, since he operates a chicken farm. He was concerned that there was no technology to deal with emissions and that his operation existed before the area was developed around him.

The Hawaii Extension Service did an excellent job of outlining the importance of agriculture to their state. Hawaii has the largest cattle ranch in the world and the hog industry is very important to them. They were not in favor of the Consent Decree.

ENERGY EFFICIENT COUNTY BUILDINGS

Justin Carmody, NACo Community Services

Retrofitting county buildings to be more energy-efficient is a logical and necessary step. NACo's ENERGY STAR Courthouse Campaign can help do this. So far, 46 counties from 24 different states have become members of this voluntary, cost-free program that assists counties in becoming more energy efficient.

By joining this program counties are able to benefit from the resources and technical training NACo has to offer. The Courthouse Campaign provides assistance to counties in assessing their current energy usage, benchmarking their buildings, determining investment opportunities, and receiving recognition for their efforts.

MC CONE COUNTY is Montana's only county involved in NACo's energy efficiency programs. The county is a member of the County Energy Efficiency Network, which allows them to obtain and share information on the work of counties throughout the country on topics such as energy efficiency, green building, and renewable energy.

For more information on joining either the NACo ENERGY STAR Courthouse Campaign or the County Energy Efficiency Network, contact Kelly Zonderwyk at kzonderwyk@naco.org or 202.942.4224, or visit

www.naco.org/techassistance
and click on Energy Management.

The Montana State Energy Office was designed to provide technical assistance to government agencies, hospitals and schools to develop energy efficient projects for public facilities. The program focuses on tracking energy use and financing energy efficiency improvements.

Montana State Energy Office

Department of Environmental Quality

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MONTANA COUNTIES TO ATTEND WCSF

Beaverhead County, Cascade County, Flathead County and Yellowstone County have been chosen to participate in the next Western Communities Stewardship Forum (WCSF), scheduled for October at the Snow King Resort in Jackson Hole, Wyoming. WCSF is a joint project between NACo and the Sonoran Institute.

The workshop theme is "The Spillover Effects of Unmanaged Growth."

In addition, NACo invited representatives (2-3 people) from county teams from neighboring counties that weren't selected to attend. Counties in this category are Carbon County and Teton County.

Previous Montana county participants have been Gallatin, Jefferson, Lewis and Clark, Madison, Park, Stillwater and Ravalli Counties.

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TRAFFIC ACCIDENTS & LAW ENFORCEMENT OFFICERS

Submitted by Greg Hintz, Missoula County Sheriff Department and MACo Board of Directors

Twice in recent years - 1999 and 2003 - car crashes topped guns as the No. 1 killer of on-duty law enforcement officers, according to the National Law Enforcement Officers Memorial Fund, which tracks fatalities.

There's no single reason for the statistics. One is due to the high number of police cars on the roads, according to the Bureau of Justice Statistics. A second reason may be from high-speed chases.

Memorial Fund spokesman Bruce Mendelsohn said officers can help themselves by buckling up and wearing body armor. "Officers who wear body armor are more protected, both from shootings and from injuries they can sustain from auto accidents," Mendelsohn said. He suggested outfitting vehicles with the kind of seat belts race car drivers use. They latch in front of the driver's chest, not at the lower right hip, allowing more freedom of movement.

Ronald McBride, a retired Kentucky officer who now consults for the DuPont Survivors

Club, said greater use of body armor would cut down on traffic deaths. He cited one case where an officer was thrown from his vehicle, then run over by it, and survived. The officer's doctor believes the armor was a lifesaver. "The cold hard truth is body armor saves lives," he said.

"Step two is providing better training. High-speed driver training, certainly, is expensive, but that cost is nothing compared to the death of an officer," said Mendelsohn. Nearly all law enforcement officers receive driver training, but the standards vary and refresher courses are rarely mandated.

Mike Robb of the Homeland Security Department's Federal Law Enforcement Training Center in Glynco, Ga., puts officers in the vehicles they'll be using on the job so they can learn to be comfortable driving powerful machines that may differ significantly from their civilian cars. He also tries to prepare officers to make split-second decisions about how to pursue a criminal without endangering the public.

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